

From: Mark W. Snitily
To: Microsoft ATR
Date: 1/23/02 5:43pm
Subject: Microsoft Settlement

Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D. Street NW
Suite 1200
Washington, DC 20530-0001

I have been gainfully employed in the computer software/hardware sector for 21 years. Prior to that I earned my Bachelor of Science in Computer Science at the the University of Washington, Seattle, Washington in 1978. I was accepted into the University of Washington's Computer Science Ph.D. program and continued graduate studies there for an additional three years.

The University of Washington campus is directly across from Microsoft; Lake Washington with its Evergreen floating bridge separates the two. With Microsoft so close and being a student in the Computer Science department, needless to say, Microsoft was a topic of discussion even way back in those days.

Unlike the current discussions of Microsoft in the news, back then the mention of Microsoft was usually in the context of a joke. Microsoft's DOS and Basic were so inferior to numerous other operating systems and languages, it truly was a joke. But, it has never ceased to amaze me how Microsoft could market and sell -- and the tactics that they used... They undermined competition one after another, year after year. I have watched Microsoft from the early days.

Regarding the Microsoft Settlement, I think Dan Gillmor's column in the San Jose Mercury News on Friday November 2, 2001 says it best. He titled that column "A Fraudulent, Cynical Settlement." Quoting from that column:

"This deal, assuming it takes hold, is not even a wrist slap.
It's a love letter to the most arrogant and unrepentant monopolist since Standard Oil."

Full column can be accessed at
<http://web.siliconvalley.com/content/sv/2001/11/02/opinion/dgillmor/weblog/index.htm>

I won't delve into the issues of this settlement, many others have done that and have spoken exquisitely -- I would only be repeating them. Rather, I am voicing my opinion as an expert in this field. I have had my own consulting business in Silicon Valley since 1984. I have

personally worked with over a dozen different operating systems. (Stopped counting OS's after I got to 16, could probably think of a few more...)
I have worked with a multitude of different computer languages. I have watch competition strive in various fields and watch competition be choked to death in others.

I have watched businesses be born... and watched businesses die...

I will unequivocally state that the terms of the Microsoft Settlement are not in the best interests of the public, not in the best interests of business competition, and without hesitancy should be rejected.

Thank you.

Mark W. Snitily
4441 Lazy Lane
San Jose, CA 95135-1805

Member of ACM, IEEE.